

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

ENERGY BRANDS INC. d/b/a GLACÉAU

SUMMONS IN A CIVIL ACTION

V.

SPIRITUAL BRANDS, INC. and ELICKO TAIEB

07 CV 10644
CASE NUMBER:

TO: (Name and address of Defendant)

Spiritual Brands, Inc.
4301 South Flamingo Road #103-204
Davie, Florida 33330

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

S. Zev Parnass, Esq.
Debevoise & Plimpton LLP
919 Third Avenue
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

NOV 28 2007

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

Patricia Curtis

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ENERGY BRANDS INC. d/b/a GLACÉAU,

Plaintiff,

V.

SPIRITUAL BRANDS, INC. and ELICKO
TAIEB,

Defendants.

07 Civ. 10644

RETURN OF SERVICE

I, Barbara Markowitz, certify that I am not a party to the action, am over eighteen (18) years of age, and I reside in Florida.

That on December 19, 2007 at 11:00 a.m., I personally served copies of the Summons in a Civil Action, the Complaint and Demand for Jury Trial, Statement Pursuant to Rule 7.1, Civil Cover Sheet, ECF Rules & Guidelines and the Judge's Rules on Kevin L. Hagen, Esq., counsel for defendant Spiritual Brands, Inc., at Hagen & Hagen, P.A., 3531 Griffin Road, Ft. Lauderdale, Florida 33312. Service was effected pursuant to an agreement by such counsel to accept service on behalf of Spiritual Brands, Inc.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information is true and correct.

Barbara Markowitz
Caplan, Caplan and Caplan
172 West Flagler St., #320
Miami, Florida 33130
(305) 374-3426